

Leave Transfer Guidelines

Guidelines

- The requesting employee must be eligible to accrue sick and/or annual leave to qualify as a recipient of transferred leave.
- The requesting employee must have experienced a personal emergency which means a medical or family medical emergency or other hardship situation that is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave.
- A personal emergency is limited to (1) catastrophic and debilitating medical situations, (2) severely complicated disabilities and (3) severe accident cases, each of which would require a prolonged period of recuperation. Routine disabilities or disabilities resulting from elective surgery do not qualify for leave transfers.
- A "prolonged period" as used in the definition of a personal emergency is generally interpreted to be a minimum of thirty (30) working days. An employee must have been in leave without pay for at least thirty (30) working days or documentation must certify a medical emergency will result in an employee being in leave without pay for this length of time.
- Employees who become eligible for other paid benefits for periods of absence from work will generally be considered ineligible for leave transfers. Examples of other paid benefits include but are not limited to workers compensation, long term disability, and disability retirement benefits.
- An employee must have used all earned sick and /or annual leave (as appropriate according to State Human Resources Regulations) prior to using approved transferred leave.
- Whether transferred leave may be applied retroactively and for what length of time will be determined on a case by case basis in light of the justification presented.
- An agency must have sufficient leave in the appropriate leave bank and sufficient funds to pay for the requested leave.
- These proposed guidelines are minimum criteria for approval by the director of the employing agency and are not intended to restrict agencies from establishing further criteria that may be considered by agencies when approving leave transfer requests. Such other criteria may include an employee's leave usage record, length of state service or other relevant factors.
- Any exception to these guidelines must be approved by the Division of State Human Resources. DSHR will only consider requests by an agency for an exception where the

agency has determined that a request meets the medical guidelines but fails to meet other criteria.